



EPA Region 5 Records Ctr.



368638

May 31, 2002

VIA FEDERAL EXPRESS

Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
U.S Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

Re: South Dayton Dump, 1976 Dryden Road, Moraine, Ohio

Dear Ms. Sheppard-Johnson:

Enclosed is Delphi Automotive Systems' ("Delphi") response to the United States Environmental Protection Agency's ("EPA") Request for Information on the South Dayton Dump Site dated March 29, 2002 and received by this office on April 2, 2002. We wish to express our thanks to Tom Nash, U.S. EPA attorney, for his cooperation in granting Delphi the additional time required in which to respond to this request.

If you have any questions, please contact me at 248.813.1473.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassandra Weaver".

Cassandra Weaver
Legal Assistant

Enclosure

cc: Mark A. Hester

**DELPHI AUTOMOTIVE SYSTEMS, LLC's RESPONSE TO
U.S. ENVIRONMENTAL PROTECTION AGENCY REGION V
104(e) REQUEST FOR INFORMATION
SOUTH DAYTON DUMP, MORaine, OHIO**

PRELIMINARY STATEMENT

Without waiving or in any way limiting any objections it has or may have, Delphi Automotive Systems, LLC ("Delphi") makes the following response to the Request for Information dated March 29, 2002 and received by this office on April 2, 2002. This response is based upon the results of a reasonable search for information and documents relating to the years 1941-1996, the time period during which the landfill operated. The following Delphi facilities were contacted: Columbus Operations (formerly Fisher Body, Inland Fisher Guide, Delphi Interior); Harrison Thermal Systems (formerly Frigidaire, Delco Air, Harrison Radiator); Home Avenue Operations (formerly Inland Manufacturing, Inland Division, Inland Fisher Guide, Delco Products, Delco Chassis); Kettering Operations (formerly Delco Products and Delco Chassis), Needmore Road Operations (formerly Delco Moraine, Delco Products, Delco Chassis), Vandalia Operations (Northwoods Blvd.) and Vandalia Operations (Dixie Hwy.)(formerly Inland Manufacturing, Inland Division, Inland Fisher Guide, Delco Products, Delco Chassis) locations, and Wisconsin Boulevard Operations (formerly Delco Moraine, Delco Products, Delco Chassis). Delphi states that it reserves the right to supplement this Response if additional information becomes available.

1. Identify all persons consulted in the preparation of the answers to these questions.

RESPONSE NO. 1:

Columbus Operations

Jay T. Hasbrook – Environmental Engineer
Mark Dryden – Sr. Plant Engineer
Mike Stewart – Waste Treatment Plant Supervisor
Dan Yeater – Facility Supervisor

Harrison Thermal Systems Operations

Thomas Byrne – Environmental Engineer
John Ridd – Sr. Environmental Project Engineer
Eob Kerr – Former Environmental Engineer

Home Avenue Operations

Paul Schubert – Environmental Engineer
Gail Spears – Waste Management Coordinator

Kettering Operations

JoAnne Rau – Environmental Coordinator
Mitch Brown – Environmental Contractor
Mark Ladd – Environmental Contractor

Needmore Road Operations

John Magary – Environmental Engineer
Jack Wombold – Retired, Salvage Operations
Tom Kanorr – Retired, Salvage Operations

Vandalia Operations (Dixie Hwy.)

David Kovacs– Sr. Environmental Engineer

Vandalia Operations (Northwoods Blvd.)

Ryan Eberhart – Environmental Engineer

Wisconsin Boulevard Operations

Deborah Avery – Environmental Site Coordinator
Jim Reardon – Retired

Each of the current Delphi employees may be contacted through Cassandra Weaver, Legal Assistant, 5825 Delphi Dr., P.O. Box 5052, M/C 480-414-166, Troy, Michigan 48098.

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.

RESPONSE NO. 2.

Delphi states that it has searched for responsive information or documents relating to the Delphi facilities identified in the Preliminary Statement. Based upon the search described, Delphi states that the following information and/or documents were found to be responsive to this Request:

Columbus Operations:

Delphi states no documents or information were found responsive to this Request.

Harrison Thermal Operations:

Delphi states no documents or information were found responsive to this Request.

Horne Avenue Operations:

Delphi states no documents or information were found responsive to this Request.

Kettering Operations:

Delphi states no documents or information were found responsive to this Request.

Needmore Road Operations:

Delphi states that it has identified waste manifests from its Needmore Road facility from the years 1981-1987. See Attachment No. 1.

Vandalia Operations (Northwoods Blvd.):

Delphi states no documents or information were found responsive to this Request.

Vandalia Operations (Dixie Hwy.):

Delphi states no documents or information were found responsive to this Request.

Wisconsin Boulevard:

Delphi states that it has identified manifests from the Wisconsin Boulevard facility to the South Dayton Dump site from the years 1980 to 1990 and 1992-1993. Manifests for 1991 were inadvertently omitted from this facility and as a result Delphi will supplement its response with any additional information. See Attachment No. 2.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.

RESPONSE NO. 3:

NEEDMORE ROAD

Delphi has been informed that Jack Wombold and Tom Kanorr, former employees of the Needmore Road facility may have responsive information to this request. However, Delphi has not yet completed its interview with these employees.

WISCONSIN BOULEVARD

Delphi has conducted an interview with Jim Reardon, former Salvage Supervisor and Larry Massey, Maintenance Supervisor at the Wisconsin Boulevard facility. Based on these interviews, Mr. Reardon and Mr. Massey may be able to provide a more detailed response to questions related to this facility.

4. List the EPA Identification Numbers of the Respondent.

RESPONSE NO. 4.

Columbus Operations – Delphi Safety & Interior
200 Georgesville Rd.
Columbus, Ohio 43228
EPA Facility I.D. – OHD 004294419

Harrison Thermal Systems
3600 Dryden Road
Moraine, Ohio 45439
EPA Facility I.D. – OHD000817577

Home Avenue Operations - Delphi Energy & Chassis
2701 Home Avenue
Dayton, Ohio 45417
EPA Facility I.D. – OHD 000817023

Kettering Operations - Delphi Energy & Chassis
2000 Forrer Blvd.
Kettering, Ohio 45420
EPA Facility I.D. – OHD004255410

Needmore Operations – Delphi Energy & Chassis
3100 Needmore Road
Dayton, Ohio 45414
EPA Facility I.D. – OHD045557766

Vandalia Operations – Delphi Energy & Chassis
480 N. Dixie Dr.
Vandalia, Ohio 45377
EPA Facility I.D. - OHD052151701

Vandalia Operations – Delphi Safety & Interior Systems
250 Northwoods Blvd.
Vandalia, Ohio 45377
EPA Facility I.D. – OHD0000048454

Wisconsin Operations – Delphi Energy & Chassis
1420 Wisconsin Blvd.
Dayton, Ohio
EPA Facility I.D. – OHD060928561

5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the South Dayton Dump Site.

RESPONSE NO. 5.

Delphi states that at this time it has no knowledge upon which a response to this question could be formulated.

6. Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site.

RESPONSE NO. 6.

See Response No. 3.

7. Set forth the dates during which the Respondent engaged in any of the following activities:

a) generation of hazardous materials which were sent to the South Dayton Dump Site;

b) transportation of any material to the South Dayton Dump Site;

RESPONSE NO. 7.

Delphi has no information suggesting that it generated hazardous materials which were sent to the South Dayton Dump Site. With regard to question 7(b), see Response No. 2 and Attachments 1 and 2.

8. Identify all persons, including yourself who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials,

including, but not limited to, hazardous substances, at the South Dayton Dump site. In addition, identify the following:

- a) The persons with whom you or such other persons made such arrangements;
- b) Every date on which such arrangements took place;
- c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
- d) The owner of the materials or hazardous substances so accepted or transported;
- e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f) All tests, analyses, and analytical results concerning the materials;
- g) The person(s) who selected the South Dayton Dump Site as the place to which the materials or hazardous substances were to be transported;
- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- i) Where the person identified in g., above, intended to have such hazardous substances were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k) What was actually done to the materials or hazardous substances once they were brought to the South Dayton Dump Site;
- l) The final disposition of each of the materials or hazardous substances involved in such transactions;

- m) **The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction.**
- n) **The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the South Dayton Dump site, and all markings on such containers;**
- o) **The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance.**
- p) **All documents containing information responsive to a-o above, or in lieu of identification of all relevant documents, provide copies of all such documents.**
- q) **All persons with knowledge, information, documents responsive to a-p above.**

RESPONSE NO. 8.

- a) **The persons with whom you or such other persons made such arrangements;**

It appears based on the documents reviewed that Delphi arranged and transported its non-hazardous material from its Needmore Road and Wisconsin Boulevard facilities to the Site.

- b) **Every date on which such arrangements took place;**

See Attachments 1 and 2.

- c) **For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;**

See Attachments 1 and 2.

- d) **The owner of the materials or hazardous substances so accepted or transported;**

The documents identified as Attachments 1 and 2 reflect the generation and transportation of non-hazardous waste materials from Delphi's Needmore Road and Wisconsin facilities.

e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

See Attachments 1 and 2.

f) All tests, analyses, and analytical results concerning the materials;

Delphi has no information as to tests, analyses or analytical results other than the documents previously provided to Delphi by USEPA.

g) The person(s) who selected the South Dayton Dump Site as the place to which the materials or hazardous substances were to be transported;

Through interviews conducted with Delphi personnel, and information indicated in Attachments 1 and 2, Delphi may have selected the Site to which the non-hazardous material was to be transported.

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;

Delphi states that it has found no records or information responsive to this Request.

i) Where the person identified in g., above, intended to have such hazardous substances or materials transported and all evidence of this intent;

See Response 8 (e) and (g).

j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

Delphi has no information, which indicates its material was transshipped prior to final treatment or disposal.

k) What was actually done to the materials or hazardous substances once they were brought to the South Dayton Dump Site;

Based on the facility records and interviews conducted by current and former employees, Delphi's Needmore Road and Wisconsin Boulevard facilities transported its non-hazardous material to the Site. However, there is no indication as to how this non-hazardous material was treated or disposed of at the Site.

l) The final disposition of each of the materials or hazardous substances involved in such transactions;

See Response No. 8(k) and Attachments 1 and 2.

m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction.

Delphi has no additional documents or information responsive to this Request other than that indicated in Attachments 1 and 2.

n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the South Dayton Dump site, and all markings on such containers;

See Attachments 1 and 2.

o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance.

Delphi has no documents or information responsive to this Request.

p) All documents containing information responsive to a-o above, or in lieu of identification of all relevant documents, provide copies of all such documents.

See Attachment 1 and 2.

q) All persons with knowledge, information, documents responsive to a-p above.

See Attachment 1 and 2.

9. Identify all liability insurance policies held by Respondent from 1941 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

RESPONSE NO. 9.

Delphi assumes that this question seeks information regarding the ability of a person to pay for or perform a cleanup, Delphi is a publicly traded company and its ability to pay is not in dispute. As previously agreed with EPA attorney Thomas Nash, Delphi is attaching a copy of its most recent 2001 Annual Report. See Attachment 3. Additional or more detailed information related to this Request will be supplemented to U.S EPA if requested.

10. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.

RESPONSE NO 10.

See Response No. 9.

- 11. If Respondent is a Corporation, respond to the following requests:**
- a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.**
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.**
 - c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**
 - d) Identify the Parent Corporation and all Subsidiaries of the Respondent.**

RESPONSE NO. 11.

See Response No. 9.

- 12. If Respondent is a Partnership, respond to the following request:**
- a) Provide copies of the Partnership Agreement;**
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;**

- c) **Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**
- d) **Identify all subsidiaries of the Respondent.**

RESPONSE NO. 12.

Not Applicable.

13. If Respondent is a Trust, respond to the following requests:

- a) **Provide all relevant agreements and documents to support this claim.**
- b) **Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.**
- c) **Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**
- d) **Identify all subsidiaries of the Respondent**

RESPONSE NO. 13.

Not Applicable.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Submitted by:

Ruth M Van Leuven
Ruth Van Leuven, Legal Assistant
Delphi Automotive Systems, LLC

5/31/2002
Date

NOTARY

Patricia A. Tinsley 5-31-02

PATRICIA A. TINSLEY
NOTARY PUBLIC OAKLAND CO., MD
MY COMMISSION EXPIRES Apr 20, 2003